

**CERTIFICATE OF MAIL (37 CFR 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Attention: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231 on March 7, 2001

Signed:

Laura Lee Mosier

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
JERMAN, et al.

Serial No. 09/728,212

Filed: November 29, 2000

For: Tunable Laser with Microactuator

Examiner: Not yet assigned

Group Art Unit: 2881

Date: March 7, 2001

**TRANSMITTAL LETTER**

**Box Missing Parts**

Assistant Commissioner for Patents  
Washington, D.C. 20231

- ☒ [X] A copy of Form PTO-1533, Notice to File Missing Parts of Application dated February 20, 2001;
- ☒ [X] Executed Declaration for Patent Application, 3 pages;
- ☒ [X] Executed Power of Attorney by Assignee, 1 page;
- ☒ [X] Executed Assignment, with recordation cover sheet, 3 pages;
- ☒ [X] Executed Verified Statement of Small Entity Status, 1 page;
- ☒ [X] A check in the amount of \$105 (\$65 for missing parts fee and \$40 for recordal fee;
- ☒ [X] and our prepaid return postcard.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 06-1300 (Account No. A-70056/ENB).

Respectfully submitted,

Edward N. Bachand

Reg. No. 37,085

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (650) 494-8700 / Facsimile: (650) 494-8771  
1025999



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/728,212         | 11/29/2000          | John H. Jerman        | A-70056/ENB            |

CONFIRMATION NO. 4420

## FORMALITIES LETTER



\*OC000000005698368\*

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187



Date Mailed: 02/20/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

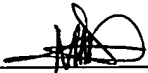
The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/14/2001 JADD01 00000014 09728212 65.00 OP

*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. H. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202


PART 2 - COPY TO BE RETURNED WITH RESPONSE



RECEIPT  
**FILE COPY**  
A-70056/ENB #9

CERTIFICATE OF MAIL (37 CFR 1.8(A))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Office of Initial Patent Examination's Customer Service Center, Assistant Commissioner for Patents, Washington, D.C. 20231 on March 7, 2001.

  
Laura Lee Mosier

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
JERMAN et al.

Serial No. 09/728,212  
Filed: November 29, 2000

For: Tunable Laser with Microactuator

Examiner: To be assigned

Art Unit: 2881

Date: March 7, 2001

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination's  
Customer Service Center  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached is a copy of the official Filing Receipt received from the PTO in the above application for which issuance of a corrected Filing Receipt is respectfully requested.

RECEIVED  
JUN 27 2001  
TC 2881 MAIL ROOM

Error in Continuing Data:

The continuing data information is noted incorrectly. This information should read as follows:

--THIS APPLN CLAIMS BENEFIT OF 60/167,937 11/29/1999; AND CLAIMS BENEFIT OF 60/167,951 11/29/1999; AND CLAIMS BENEFIT OF 60/174,562 01/05/2000; AND CLAIMS BENEFIT OF 09/491,429 01/26/2000 WHICH CLAIMS BENEFIT OF 60/154,899 09/20/1999; AND CLAIMS BENEFIT OF 60/227,933 08/25/2000 AND CLAIMS BENEFIT OF 60/234,042 09/20/2000--.

A red-lined copy of the Filing Receipt is enclosed for clarification.

Applicant respectfully requests the Filing Receipt be corrected as shown on the attachment.

The correction is not due to any error by applicant therefore no fee is due.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

A handwritten signature in black ink, appearing to read 'Edward N. Hachand', is written over the printed name.

Edward N. Hachand  
Registration No. 37,085

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Suite 3400  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/728,212         | 11/29/2000  |              | 481           | A-70056/ENB     | 18       | 34         | 3          |



CONFIRMATION NO. 4420

## FILING RECEIPT



\*OC000000005698367\*

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

Date Mailed: 02/20/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John H. Jerman, Residence Not Provided;  
John D. Grade, Residence Not Provided;  
Jill D. Berger, Residence Not Provided;  
John F. Heanue, Residence Not Provided;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/167,937 11/29/1999;  
AND CLAIMS BENEFIT OF 60/167,951 11/29/1999;  
AND CLAIMS BENEFIT OF 60/174,562 01/05/2000; and Claims have fit of 09/429 01/26/2000  
WHICH CLAIMS BENEFIT OF 60/154,899 09/20/1999; and  
~~WHICH CLAIMS BENEFIT OF 60/234,042 09/20/2000~~  
~~WHICH CLAIMS BENEFIT OF 60/227,933 08/25/2000~~ and  
~~Claims benefit of 60/234,042 09/20/2000~~

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JUN 27 2001  
TC 2800 MAIL ROOM

## Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Tunable laser with microactuator

**Preliminary Class**

372

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**Data entry by : STOKES, TUSHOMBE**

**Team : OIPE**

**Date: 02/20/2001**





## UNITED STATES PATENT AND TRADEMARK OFFICE

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Bib Data Sheet

CONFIRMATION NO. 4420

|                                    |   |                     |                               |   |
|------------------------------------|---|---------------------|-------------------------------|---|
| <b>SERIAL NUMBER</b><br>09/728,212 | <b>FILING DATE</b><br>03/12/2001<br><b>RULE</b> | <b>CLASS</b><br>372 | <b>GROUP ART UNIT</b><br>2881 | <b>ATTORNEY DOCKET NO.</b><br>A-70056/ENB |
|------------------------------------|---|---------------------|-------------------------------|---|

**APPLICANTS**

John H. Jerman, Palo Alto, CA;  
 John D. Grade, Mountain View, CA;  
 Jill D. Berger, Los Gatos, CA;  
 John F. Heanue, San Jose, CA;

**\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLN CLAIMS BENEFIT OF 60/167,937 11/29/1999  
 AND CLAIMS BENEFIT OF 60/167,951 11/29/1999  
 WHICH CLAIMS BENEFIT OF 60/174,562 01/05/2000  
 WHICH CLAIMS BENEFIT OF 09/491,429 01/26/2000  
 WHICH CLAIMS BENEFIT OF 60/154,899 09/20/1999  
 WHICH CLAIMS BENEFIT OF 60/227,933 08/25/2000  
 AND CLAIMS BENEFIT OF 60/234,042 09/20/2000

**\*\* FOREIGN APPLICATIONS \*\*\*\*\*****\*\* SMALL ENTITY \*\***

|  |                               |                             |                           |                                |
|--|-------------------------------|-----------------------------|---------------------------|--------------------------------|
| Foreign Priority claimed<br><input type="checkbox"/> yes <input type="checkbox"/> no   | <b>STATE OR COUNTRY</b><br>CA | <b>SHEETS DRAWING</b><br>18 | <b>TOTAL CLAIMS</b><br>34 | <b>INDEPENDENT CLAIMS</b><br>3 |
| 35 USC 119 (a-d) conditions met<br><input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance |                               |                             |                           |                                |
| Verified and Acknowledged  | Examiner's Signature          | Initials                    |                           |                                |

**ADDRESS**

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
 Suite 3400  
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 San Francisco ,CA 94111-4187

**TITLE**

Tunable laser with microactuator

|                                   |   |  |
|-----------------------------------|---|--|
| <b>FILING FEE RECEIVED</b><br>546 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | <input type="checkbox"/> All Fees                              |
|                                   |   | <input type="checkbox"/> 1.16 Fees ( Filing )                  |
|                                   |   | <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) |
|                                   |   | <input type="checkbox"/> 1.18 Fees ( Issue )                   |
|                                   |   | <input type="checkbox"/> Other _____                           |
|                                   |   | <input type="checkbox"/> Credit                                |



